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OFFICE OF  
AIR, NOISE AND RADIATION

**SUBJECT:** Guidance on the NESHAP Asbestos Standards

**FROM:** Kathleen M. Bennett  
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**TO:** Directors, Air & Waste Management Divisions  
Regions I-IV, VI-VIII, X

Directors, Air Management Divisions  
Regions V and X

The purpose of this memorandum is to offer guidance on two aspects of the NESHAP asbestos standard for which clarification has been requested. The first aspect concerns the applicability of the standard with regard to spraying operations as specified in 40 CFR 61.22(e). The second aspect of the standard is a clarification of what constitutes a bituminous or resinous binder for encapsulation of asbestos fibers during spraying operations. Since this guidance is in response to two general questions, I would like to emphasize that specific questions concerning spraying operations may still need to be addressed on a case-by-case basis.

As this standard requires in 40 CFR §61.22(e):

There shall be no visible emissions to the outside air from the spray-on application of materials containing more than 1 percent asbestos, on a dry weight basis, used on equipment and machinery, except [where an air-cleaning procedure (§61.23) is to be used].

The Agency amended §61.22(e) on June 19, 1978 (43 FR 26372) to clarify which spraying operations are subject to the standard. Because the Agency originally did not anticipate that any application other than asbestos-containing insulation and fireproofing would be major sources of asbestos emissions, this revision of the standard was necessary to extend the coverage of the asbestos spraying provisions. The amendments require that spraying of all materials which contain more than 1 percent asbestos be subject to the provisions unless the asbestos fibers are encapsulated in a bituminous or resinous binder and are not friable after drying. In responding to comment, the Agency cited examples of the bituminous or resinous asbestos-containing coatings; examples are roofing compounds, waterproofing or

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insulation exposed to weather, automobile undercoatings and industrial maintenance coatings. Except for this exemption of spraying operations using a bituminous or resinous binder, all spraying operations with more than 1 percent asbestos must comply with §61.22(e).

The second aspect of the asbestos standard to be clarified is what constitutes a bituminous or resinous binder. The request for guidance on this item asked about a list of different encapsulation compounds examined for friability by Dr. Robert Sayers. This list of compounds is the result of work contracted by the Office of Toxic Substances for its school study. The compounds were examined for the purpose of coating walls and ceilings which contain asbestos; this coating would be applied to structural members already in place. They are not used for encapsulation within the meaning of our regulations.

The compounds do not contain the asbestos, but instead act as a sealant to cover asbestos where it is already present. If there is question as to whether a product used for encapsulation in the spraying operation is bituminous or resinous the question should be referred to headquarters for review.

If you have additional questions on the spraying provisions of the asbestos standard, please contact Ann Eastham of my staff at 382-2876.